

January 31, 2005

Hon. William G. Young
United States District Judge
District of Massachusetts
1 Courthouse Way
Boston, MA. 02210

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RE: United States v. Jonathan Canfield
Criminal File No. CR-03-40011 (NMG)
Civil File No. 04-40129 (NMG)

Dear Judge Young:

I am writing this letter in your capacity as Chief Judge of the District of Massachusetts. I write in reference to the above noted case(s).

I enclose a copy of the letter dated November 26, 2004 which was directed to Judge Gorton with copies to Michael Pelgro, AUSA and to my former attorney Peter L. Ettenberg. I believe that the facts as recited in the enclosed letter are self-explanatory.


Further, on December 30, 2004, I filed a Motion for Summary Judgment in the civil proceeding asking for relief to which I believe I am entitled.

It has now been 7 months since I filed my Motion under Rule 36 to correct the Judgment of Conviction. The Court has taken no action on my Motion. The Government has not filed a response. I followed up with two letters to the Court, neither of which have been responded to by the Court or the Government. I then filed an appropriate Motion in the file designated by the Court as one filed under 28 USC §2255 for Summary Judgment. Again no response was filed by the Government. No action has been taken by the Court to resolve my case.

I ask that your office in the capacity as Chief Judge of the District make inquiry as to why my constitutional rights are being undermined by the failure of the Court to make a decision one way or the other. I am certain you can appreciate my circumstance after recognizing my present situation.

I thank the Court for any courtesy it may be able to extend in ascertaining the reason for the delay in having my Motions heard and decided.

Sincerely,


JONATHAN CANFIELD
80129-038 UNIT I (CAMP)
FEDERAL MEDICAL CENTER DEVENS
P.O. BOX 879
AYER, MA. 01432

Encl.

cc: Hon. Nathaniel M. Gorton, USDJ
Micahel Pelgro, AUSA
Clerk of the Court/District of Massachusetts ✓